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| ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLIOTT CITY, MD 21043 | | | VETTER, DANIEL | |
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| | | | 3628 | |

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-------------------------------------|-------------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/623,697 | LIN, SHU-FEN |
| | Examiner Daniel P. Vetter | Art Unit 3628 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-6 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 July 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____. |

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DETAILED ACTION

Claims 1-6 are pending in this application.

Drawings

1. The drawings were received on July 7, 2003. These drawings are accepted by the Examiner.

Claim Objections

2. Claim 1 is objected to because of the following informalities: "for the asker to entering" in lines 3-4 appears to be a grammatical error. Appropriate correction is required.
3. Claim 5 is objected to because of the following informalities: "the question one by one" in line 6 and "answering at a time" in line 7 appear to be a grammatical errors. Appropriate correction is required.

4. Claim 6 is objected to because of the following informalities: "at least one suitable answer" in line 4 appears to be a typographical error intended to be " at least one suitable answerer." Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claim 1 recites the limitations "the certificate of the answerer" in lines 6-7; "the answering procedure" in lines 9-10; and "the data about the asker and the answerer" in lines 12-13. There are insufficient antecedent bases for these limitations in the claim. Additionally, claim 1 recites the limitation "the questions" in line 8. The scope of the claim is vague and indefinite because previously there had only been one question recited in the claim.

8. Claim 2 recites the limitations "the data of the answerer" in lines 3-4; "the reference" in line 4; "the interactive data" in line 6; and "the business transactions" in line 8.

9. There are insufficient antecedent bases for these limitations in the claim. Additionally, the term "more unobstructed" in claim 2 is a relative term which renders the claim indefinite. The term "more unobstructed" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention. Specifically, the degree to which the charge zone makes the business transactions of knowledge more unobstructed is unclear by reading the claim in light of

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the specification. Additionally, claim 2 recites the "the answerers" and "the askers" in line 6. The scope of the claim is vague and indefinite because previously there had only been one answerer and one asker recited in the base claim. Additionally, claim 2 inherits the rejections of claim 1 through dependency and, as such, is rejected for the same reasons.

10. Claim 3 recites the limitations "the username" in line 4; "the new question" in lines 4-5; "the data of the answerers" in line 8; "the data concerning the question(s)" in line 12; and "the asking procedure" in line 13. There are insufficient antecedent bases for these limitations in the claim. Additionally, claim 3 inherits the rejections of claim 1 through dependency and, as such, is rejected for the same reasons.

11. Claim 4 recites the limitations "the user" in line 2; "the username" in line 2; "the serial number" in line 2; "the inputted data" in line 3; "the secrets of the user" in line 4; and "the personal data" in lines 4-5. There are insufficient antecedent bases for these limitations in the claim. Additionally, claim 4 inherits the rejections of claim 1 through dependency and, as such, is rejected for the same reasons.

12. Claim 5 recites the limitations "the input data" in line 3; "the same questions" in line 6; and "the concerning data" in line 8. There are insufficient antecedent bases for these limitations in the claim. Additionally, claim 5 inherits the rejections of claim 1 through dependency and, as such, is rejected for the same reasons.

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13. Claim 6 recites the limitation "the background of the answerers" in line 3. There is insufficient antecedent basis for this limitation in the claim. Additionally, claim 6 inherits the rejections of claims 1 and 2 through dependency and, as such, is rejected for the same reasons.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Walker, et al., U.S. Pat. No. 5,862,223 (Reference A of the attached PTO-892).

As per claim 1, Walker, et al. teaches a consulting service system for Internet, comprising: an ask zone (column 18, lines 43-46), in which an asker can ask a new question, appoint a suitable answerer and get an enter certificate (column 17, lines 13-20; column 19, lines 12-13); an answer zone communicating with the ask zone (column 21, lines 25-26, 38-40), the consulting service system requesting and confirming the certificate of the answerer (column 21, lines 41-42; column 28, line 14; column 30, lines 46-48), the answerer inputting a service charge about answering the question when the

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answering procedure needs a service charge (column 21, lines 4-6, 45); and a data process zone communicating with the ask zone and the answer zone (column 16, lines 56-57; column 21, lines 42-44). The limitation "for the asker to entering a searching procedure and a re-asking procedure" is merely a statement of an intended use and is afforded no patentable weight. The limitation "for allowing the answerer entering the answer zone and answering the questions in the answer zone" is merely a statement of an intended use and is afforded no patentable weight. The limitation "the data process zone provided to save and order the data about the asker and the answerer" is merely a statement of an intended use and is afforded no patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the limitations of the claim.

16. As per claim 2, Walker, et al. teaches the system of claim 1 as described above. Walker, et al. further teaches the data process zone comprises: an answerer introduce zone (column 14, lines 25-30; column 20, lines 34-35); a control zone (column 20, lines 37-39); and a charge zone (column 21, lines 46-49). The limitation "for asker to browse the data of the answerer as the reference for selecting a suitable answerer" is merely a statement of an intended use and is afforded no patentable weight. The limitation "for

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the consulting service system to appraise the answerers via the interactive data between the askers and the answerers" is merely a statement of an intended use and is afforded no patentable weight. The limitation "making the business transactions of knowledge more unobstructed via an Internet e-wallet" is merely a statement of an intended result and is afforded no patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the limitations of the claim.

17. As per claim 3, Walker, et al. teaches the system of claim 1 as described above. Walker, et al. further teaches the asking zone provides a new serial number and requests the asker to input the username and the serial number of the new question when asker asks a new question (column 25, line 59 – column 26, line 2), the data of the answerers is shown when the asker clicks a button of LIST OF ANSWERERS (column 25, lines 31-41); and a memory zone (column 13, line 36; column 14, lines 51-52). The limitation "the inputted username and the serial number of the new question used as an enter certificate when the asker wants to enter the searching procedure" is merely a statement of an intended use and is afforded no patentable weight. The limitation "such that the asker can refer to the data of the answerers and appoint at least

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one answerer of different field to answer the question that the asker has asked" is merely a statement of an intended use and is afforded no patentable weight. The limitation that "the asker can save the data concerning the question(s) in a memory zone in the data process zone and end the asking procedure" is merely a statement of an intended use and is afforded no patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the limitations of the claim.

18. As per claim 5, Walker, et al. teaches the system of claim 1 as described above. Walker, et al. further teaches the answerer needs to input his/her certificate when entering the answer zone (column 21, lines 40-44; column 28, line 14), a list of questions displayed after confirming the input data from the answerer (column 38, lines 45-46; Examiner is interpreting a letter of interest requesting services with a bid as a question), the answerer arranging shown data and deleting the question that he/she does not want to answer (column 26, lines 7-9; column 38, lines 61-63), the answerer answering the question one by one or selecting the same questions from different askers and answering at a time (column 26, line 13; column 37, lines 4-5), the answerer inputting the service charge about answering the question (column 21, lines 5-6, 45)

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and saving the concerning data when the answering procedure needs a service charge (column 14, lines 58-63).

19. As per claim 6, Walker, et al. teaches the system of claim 2 as described above. Walker, et al. further teaches data about the answerers shown in the answerer introduce zone includes name and the background of the answerers (column 14, lines 25-30; column 25, lines 35-36, 41-42). The limitation "for user to refer and appoint at least one suitable answer" is merely a statement of an intended use and is afforded no patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the limitations of the claim.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

21. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker, et al. Walker, et al. teaches the system of claim 1 as described above. Walker, et al.

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further teaches the user is requested to input the username and other information (column 17, lines 3-4, 13-14; column 25, lines 63-64) and the inputted data needs to be confirmed (column 17, lines 7-12), after confirming the personal data that the user has inputted, a page showing a list of answerers and answers (column 25, lines 35-41). Walker, et al. further teaches that a serial number is assigned to the questions (column 19, lines 12-13), but does not explicitly teach that the other information that is input is the serial number of the question that the user wants to search, but this limitation is simply a recitation of non-functional descriptive material and is afforded no patentable weight. It would have been *prima facie* obvious to one having ordinary skill in the art at the time of invention to incorporate that the other information that is input is the serial number of the question that the user wants to search into the system taught by Walker, et al. because non-functional descriptive material cannot render non-obvious an invention that would otherwise have been obvious. *In re Gulack*, 703 F.2d 1381, 1385; 217 USPQ 401, 404 (Fed. Cir. 1983). Walker, et al. does not explicitly teach that the page also shows a list of answers, but this limitation is simply a recitation of non-functional descriptive material and is afforded no patentable weight. It would have been *prima facie* obvious to one having ordinary skill in the art at the time of invention to incorporate that the page also shows a list of answers into the system taught by Walker, et al. because non-functional descriptive material cannot render non-obvious an

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invention that would otherwise have been obvious. *Gulack*, 217 USPQ at 404. The limitation "for asserting the secrets of the user" is merely a statement of an intended use and is afforded no patentable weight. The limitation "for user to browse, delete unnecessary answer(s), re-ask relative to the answer or select others answerers for the question or further ask for a charged consulting" is merely a statement of an intended use and is afforded no patentable weight. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the limitations of the claim.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Nielsen, U.S. Pat No. 5,948,054 (Reference B of the attached PTO-892) teaches a networked computer system including a customer computer associated with a human customer, one or more consultant computers associated with one or more human consultants, and a server computer, the human customer sends an information request to the server via the customer computer; wherein the request includes a question that the customer wishes to have answered; and wherein the server then solicits the requested information from one or more of the qualified consultants.

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Lauffer, U.S. Pat. No. 6,223,165 (Reference C of the attached PTO-892) teaches a method of or apparatus for facilitating the delivery of advice to consumers using a server unit which can store and display the names and characteristics of experts and then rapidly assist in connecting the expert and consumer for real-time communication.

Cooper, et al., U.S. Pat. Pub. No. 2002/0029350 (Reference D of the attached PTO-892) teaches a method and system for providing a secure communication network to facilitate consultations between a client and a counselor that limits legal liability to the participants comprising at least one web module, a certificate module, from which a digital certificate is issued to the client once said client contacts the at least one web module, a liability limitation module through which a liability limiting agreement is provided to the client via the at least one web module, a payment module, to which the client communicates a payment method via the at least one web module, a consultant database module, from which the client selects a consultant of choice via the at least one web module, and a consultation module, within which the consultant of choice and the client confer via the at least one web module in a secure environment. Stephanou, U.S. Pat. No. 6,513,013 (Reference E of the attached PTO-892) teaches a system and method for assigning an expert to a request for assistance including real time interaction allowing users to request assistance over the internet to an expert server having a file of qualified experts wherein a trouble ticket is assigned and alias and is sent out to a

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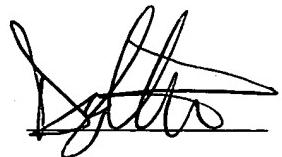
number of experts having the correct qualifications who then have an opportunity to respond.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel P. Vetter whose telephone number is (571) 270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Nolan can be reached on (571) 272-0847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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